

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-CR-80173-CANNON-2

UNITED STATES OF AMERICA

-VS-

WILLIAM MICHAEL SPEARMAN

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**GOVERNMENT'S PROPOSED VOIR DIRE QUESTIONS
FOR THE COURT TO CONSIDER ASKING THE VENIRE**

1. Is there anyone here who does not use a computer (desktop or laptop) to connect to the Internet at home or at work?
2. Would any of you consider yourselves, and in what ways, to be computer experts (i.e. write or written code for computers, engaged in computer programming, conducted computer forensic examinations, have a degree in information technology, or built or repaired any type of computer hardware)?
3. Even though you may not have a background in computer science, systems administration, or forensic computer examination, how many of you have had some sort of formal computer training, and what kind?
4. Do you use Tor, the Tor Brower or ever access the "Dark Web" and if so, what for and what has been your experience?

5. Do any of you belong to any group or subscribe to any publication which encourages, advocates or condones sexual relations between adults and children who are less than 18 years of age?

6. It is anticipated that the evidence in this case may consist of graphic descriptions of and discussions about sexually explicit conduct involving a minor child, including images depicting such conduct. Many people may find this material difficult to look at. Nevertheless, it is necessary for jurors to be exposed to some of this material during trial to ensure a fair and just outcome for the defendant and the government. Would being exposed to such material make you unable to perform your duties fairly and impartially as a juror in this case?

7. Some people are of the mistaken belief that possessing child pornography, including possessing child pornography by computer, is an activity that is protected by the Free Speech Clause of the First Amendment to our Constitution, or may otherwise be Constitutionally protected activity. I tell you that - as a matter of law - this is not the case - the First Amendment does not protect anyone from the prohibition against making, sending, receiving, accessing with intent to view, or possessing child pornography. Congress has passed laws which make the foregoing criminal offenses, and such activity is not protected by the First Amendment or by any other Constitutional right. Before I informed you just now that the possession or accessing with intent to view of child pornography was not conduct protected by the Constitution, did you believe that it was or that it should be protected by any provision of the Constitution?

a. Would you have any difficulty abiding by my instruction to you that

such activity is not - as a matter of law - protected by the First Amendment to the United States Constitution or by any other provision of the Constitution?

8. Will any of you have difficulty discussing sexual matters with other members of the jury - topics such as whether or not a particular image depicts sexually explicit conduct, as the judge will define those terms for you?

9. Have you, your spouse or any member of you family or close friends been the victim of sexual abuse, and if so was it reported to police, and did anything about that experience make you unable to be fair and impartial?

10. You will hear from witnesses in this case who are employed by the Federal Bureau of Investigation. Does anyone hold an unfavorable view of the Federal Bureau of Investigation and would the simple fact that a witness is employed by the Federal Bureau of Investigation, without more, make you less likely or more likely to believe their testimony?

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 15, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF

s/William G. Clayman
William G. Clayman
Trial Attorney, U.S. Dept. of Justice